

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
57th LEGISLATURE - REGULAR SESSION
COMMITTEE ON APPROPRIATIONS**

Call to Order: By **CHAIRMAN STEVE VICK**, on March 20, 2001 at 8:00 A.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Rep. Steve Vick, Chairman (R)
Rep. Dave Lewis, Vice Chairman (R)
Rep. Matt McCann, Vice Chairman (D)
Rep. John Brueggeman (R)
Rep. Rosalie (Rosie) Buzzas (D)
Rep. Tim Callahan (D)
Rep. Edith Clark (R)
Rep. Bob Davies (R)
Rep. Stanley Fisher (R)
Rep. Dick Haines (R)
Rep. Joey Jayne (D)
Rep. Dave Kasten (R)
Rep. Christine Kaufmann (D)
Rep. Monica Lindeen (D)
Rep. Jeff Pattison (R)
Rep. Art Peterson (R)
Rep. Joe Tropila (D)
Rep. John Witt (R)

Members Excused: None.

Members Absent: None.

Staff Present: Paula Broadhurst, Committee Secretary
Taryn Purdy, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Executive Action: HB 121, HB 31, HJR 34, HB 8,
HB 105, HB 217, HB 288, HB
296, HB 307, HB 414, HB 449,
HB 501, HB 503, HB 509, HB
516, HB 526, HB 536, HB 575,
HB 595, HB 226, HB 630, HB

638, HB 602, HB 641, HB 416,
HB 318

EXECUTIVE ACTION ON HB 121

Motion: REP. VICK moved HB 121 BE AMENDED. Amendments were handed out **EXHIBIT**(aph63a01).

Discussion:

CHAIRMAN STEVE VICK explained the amendment as taking money aside from HB 2 and adding it to the schedules.

REP. JOE TROPILA asked why Section 4 was taken out. **CHAIRMAN VICK** said Section 4 dealt with appropriation and all appropriations for HB 121 was now in HB 2 so it was no longer needed.

REP. ROSIE BUZZAS asked if they were removing the amendment that was made on the floor. **CHAIRMAN VICK** said there was a sunset added due to the problems with equalization.

Amy Carlson, Governor's Budget Office, explained special education budgeting to the schools and what SB 94 changed and the effects it involved.

REP. BUZZAS asked if the funds had been spent only on special education. **Amy Carlson** answered up to 175% was not, up to 200% was.

REP. DAVE LEWIS asked if it was a voted levy. **Amy Carlson** answered yes.

REP. MATT MCCANN asked if they would go above the cap with a voted mill levy. **Amy Carlson** said special education was within the cap and it was adjusting the calculation for what the cap was.

REP. MCCANN asked if the amendment returned the maximum to 100% of the maximum instead of 105% of the maximum. **Amy Carlson** answered yes, that was correct.

REP. TROPILA asked how much the 1 1/2% would be in 2002. **Amy Carlson** said it would be \$7 million.

REP. CHRISTINE KAUFMAN referred to the proponents in favor of HB 31. She wondered if the amendment was satisfactory to the

education community. **Lance Melton** said the reason for SB 94 was coming out of a deficit. He explained SB 94 did not give a windfall or boon, it addressed part of a deficit that was created over the past seven years.

CHAIRMAN VICK wondered about a sunset clause. **Lance Melton** said there needed to be a stable study form of funding for districts in a state of declining enrollment.

REP. LEWIS thought language may need to be fix to reflect the grants.

REP. BUZZAS asked to segregate Sections 7 and 12 from the amendment. **CHAIRMAN VICK** said they were voting on the funding portion of the bill. He said they would vote on the 105% in the next vote.

Substitute Motion: **REP. VICK** made a substitute motion voting only on the funding portion of the amendment.

Discussion:

REP. KAUFMANN questioned the removal of Section three. **Amy Carlson** explained Section three as being non-sunset and it would continue until 2004.

Vote: Substitute Motion carried unanimously.

Vote: Motion carried to be amended 12-6 with **REP. BUZZAS**, **REP. CALLAHAN**, **REP. JAYNE**, **REP. KAUFMANN**, **REP. LINDEEN** and **REP. TROPILA** voting no.

Motion: **REP. VICK** moved HB 121 DO PASS AS AMENDED.

Discussion:

REP. BUZZAS spoke against the bill because it wasn't at the rate needed.

Vote: Motion carried 13-5 with **REP. BUZZAS**, **REP. CALLAHAN**, **REP. JAYNE**, **REP. KAUFMANN** and **REP. LINDEEN** voting no.

{Tape 1; Side B}

EXECUTIVE ACTION ON HB 31

Motion/Vote: REP. LEWIS moved HB 31 BE TABLED. Motion carried 12-6 with REP. BUZZAS, REP. CALLAHAN, REP. JAYNE, REP. KAUFMANN, REP. LINDEEN and REP. TROPILA voting no.

EXECUTIVE ACTION ON HJR 34

Motion/Vote: REP. HAINES moved HJR 34 DO PASS. Motion carried unanimously.

EXECUTIVE ACTION ON HB 8

Motion/Vote: REP. MCCANN moved HB 8 DO PASS AS AMENDED. Motion carried unanimously.

EXECUTIVE ACTION ON HB 105

Motion: REP. HAINES moved HB 105 BE AMENDED. Amendments were handed out **EXHIBIT**(aph63a02).

Discussion:

Taryn Purdy, Legislative Staff, explained the amendments and the effects of administrative costs of the grant.

Vote: Motion carried unanimously.

REP. LEWIS wondered if the amendment would authorize the borrowing of money from the Board of Investments. REP. HAINES wondered if it would replace the tying up of general funds.

Substitute Motion: REP. LEWIS made a substitute motion to add a conceptual amendment deleting Section nine and adding a new Section authorizing to borrow \$50,000 from the Board of Investments.

Discussion:

REP. KAUFMANN asked if this was automatic or would it involve a process for the loans. REP. LEWIS said no, it would not add on another process.

REP. KAUFMANN asked if there would not be money available. REP. LEWIS responded no.

CHAIRMAN VICK asked about the note and wondered about a statutory appropriation. **REP. LEWIS** thought the appropriation for gifts, donations and grants needed to be added.

Vote: Substitute Motion carried unanimously.

Motion/Vote: **REP. HAINES** moved HB 105 DO PASS AS AMENDED. Motion carried 16-2 with **REP. MCCANN** and **CHAIRMAN VICK** voting no.

EXECUTIVE ACTION ON HB 217

Motion/Vote: **REP. BUZZAS** moved HB 217 BE TABLED. Motion carried unanimously.

EXECUTIVE ACTION ON HB 288

Motion: **REP. KAUFMANN** moved HB 288 DO PASS.

Discussion:

REP. KAUFMANN gave a background of the bill and explained the effects for non-beneficiary students at tribal colleges.

REP. BUZZAS supported the bill and reminded the committee of the funding from the last session.

{Tape 2; Side A}

Substitute Motion/Vote: **REP. WITT** made a substitute motion HB 288 BE TABLED. Substitute motion carried 11-7 with **REP. BUZZAS**, **REP. CALLAHAN**, **REP. JAYNE**, **REP. KAUFMANN**, **REP. LINDEEN**, **REP. MCCANN** and **REP. TROPILA** voting no.

EXECUTIVE ACTION ON HB 296

Motion: **REP. BUZZAS** moved HB 296 DO PASS.

Discussion:

REP. LEWIS explained he had a revised fiscal note.

REP. MCCANN asked about the revised fiscal note. **REP. LEWIS** said it would be approximately \$370,000 per year.

REP. MCCANN wondered about the substantial cutback. REP. LEWIS explained the cut with family counseling per year, support groups, training clinics and operational costs.

REP. BUZZAS said if the children were kept in foster care over a period of years the costs would be much higher.

REP. EDITH CLARK asked what extra funding would be for foster care. REP. LEWIS said there would be some increases.

REP. MCCANN mentioned employees and respite care.

Substitute Motion/Vote: REP. WITT made a substitute motion to table HB 296. Motion carried 12-6 with REP. BUZZAS, REP. CALLAHAN, REP. JAYNE, REP. KAUFMANN, REP. LINDEEN and REP. TROPILA voting no.

EXECUTIVE ACTION ON HB 307

Motion/Vote: REP. LEWIS moved HB 307 BE TABLED. Motion carried unanimously.

EXECUTIVE ACTION ON HB 414

Motion/Vote: REP. CLARK moved HB 414 BE TABLED. Motion carried unanimously.

EXECUTIVE ACTION ON HB 449

Motion/Vote: REP. BRUEGGEMAN moved HB 449 BE TABLED. Motion carried 17-1 with REP. TROPILA voting no.

EXECUTIVE ACTION ON HB 501

Motion/Vote: REP. LINDEEN moved HB 501 BE TABLED. Motion carried 16-2 with REP. BUZZAS and REP. JAYNE voting no.

EXECUTIVE ACTION ON HB 503

Motion/Vote: REP. BUZZAS moved HB 503 BE TABLED. Motion carried 17-1 with REP. KAUFMANN voting no.

EXECUTIVE ACTION ON HB 509

Motion: REP. BUZZAS moved HB 509 DO PASS.

Discussion:

REP. JOE TROPILA asked how much money would come from the federal government. **REP. BUZZAS** thought it was a substantial amount.

REP. STANLEY FISHER asked who owned this. **REP. BUZZAS** the federal government owned it and they give it to the community under a non-profit board.

REP. DICK HAINES mentioned Fort Missoula. He explained the ownerships and how the university was involved.

Motion/Vote: REP. FISHER moved HB 509 BE TABLED. Motion carried 11-7 with REP. BUZZAS, REP. CALLAHAN, REP. HAINES, REP. JAYNE, REP. KAUFMANN, REP. LINDEEN, and REP. TROPILA voting no.

EXECUTIVE ACTION ON HB 516

Motion: REP. CALLAHAN moved HB 516 DO PASS.

Discussion:

REP. LEWIS asked what the department said about the bill. **REP. BUZZAS** said Fish, Wildlife & Parks needed to add \$13,000 to the cost of covering benefits in operations for this. She felt it was an economic development bill.

REP. DAVE KASTEN wanted to table the bill due to other priorities. **REP. MCCANN** asked for him to reconsider this action.

REP. MCCANN referred to Fish, Wildlife & Parks utilizing resources compared to state government overall. He felt it would benefit the state.

REP. LEWIS said the department had not considered this within their budget.

REP. KAUFMANN wondered what the priority should be. She thought it would assist education without using general fund money.

REP. HAINES thought it should not be taken out.

Vote: Motion carried 10-8 with REP. LEWIS, REP. BRUEGGEMAN, REP. DAVIES, REP. KASTEN, REP. PATTISON, REP. PETERSON, REP. WITT, and CHAIRMAN VICK voting no.

EXECUTIVE ACTION ON HB 526

Motion: REP. BUZZAS moved HB 526 BE AMENDED.

Discussion:

REP. BUZZAS said the amendment would remove Section seven.

CHAIRMAN VICK read the TANF block grant funds regarding the Summer youth employment program.

Vote: Motion carried unanimously.

Motion: REP. BUZZAS moved HB 526 DO PASS AS AMENDED.

Discussion:

Taryn Purdy wasn't sure about the bill due to the funding not being guaranteed. She said it would create an obligation to have the program and language needed to be changed.

Substitute Motion: REP. MCCANN made a substitute motion for the availability of funding to the implementation of the bill.

Discussion:

REP. BUZZAS wondered about adding availability. CHAIRMAN VICK asked for the amendment to be written as needed.

Vote: Substitute Motion carried unanimously.

Vote: Motion carried to pass as amended 14-4 with REP. BUZZAS, REP. DAVIES, REP. WITT and CHAIRMAN VICK voting no.

EXECUTIVE ACTION ON HB 536

Motion/Vote: REP. BRUEGGEMAN moved HB 536 BE TABLED. Motion carried 13-5 with REP. BUZZAS, REP. HAINES, REP. JAYNE, REP. KAUFMANN and REP. TROPILA voting no.

{Tape 2; Side B}

EXECUTIVE ACTION ON HB 575

Motion: REP. BUZZAS moved HB 575 BE AMENDED. Amendments were handed out **EXHIBIT**(aph63a03).

Discussion:

REP. BUZZAS explained the details of the amendments.

CHAIRMAN VICK asked where the money was coming from. REP. BUZZAS explained the money was in HB 2 through the TANF dollars and \$250,000 per biennium from the Department of Commerce, community development grant dollars set aside for training.

Taryn Purdy asked if the community development block grants would be \$250,000 over the biennium or each year. REP. BUZZAS said \$250,000 per year.

REP. JOHN WITT wondered if this would be set up in the Department of Health and Human Services instead of higher education.

REP. LEWIS didn't know why there was a need for the bill.

REP. TROPILA asked if there were Perkins fund within this. REP. BUZZAS answered yes, there were Perkins funds available.

Vote: Motion failed 6-12 with REP. BUZZAS, REP. CALLAHAN, REP. JAYNE, REP. KAUFMANN, REP. LINDEEN, and REP. TROPILA voting aye.

Motion/Vote: REP. DAVIES moved HB 575 BE TABLED. Motion carried 12-6 by reversing above vote.

EXECUTIVE ACTION ON HB 595

Motion/Vote: REP. LEWIS moved B 595 BE TABLED. Motion carried 13-5 with REP. BUZZAS, REP. JAYNE, REP. KAUFMANN, REP. LINDEEN and REP. TROPILA voting no.

EXECUTIVE ACTION ON HB 624

Motion/Vote: REP. BRUEGEMAN moved HB 624 BE TABLED. Motion carried 13-5 with REP. BUZZAS, REP. JAYNE, REP. KAUFMANN, REP. LINDEEN and REP. TROPILA voting no.

EXECUTIVE ACTION ON HB 625

Motion: REP. MCCANN moved HB 625 DO PASS.

Discussion:

REP. MCCANN talked about a conceptual amendment. REP. BUZZAS thought they needed to add programs and services.

REP. MCCANN explained language with the conceptual amendment.

Substitute Motion/Vote: REP. MCCANN made a substitute motion adding a conceptual amendment. Motion carried unanimously.

Motion: REP. TROPILA moved HB 625 BE AMENDED. Amendments were handed out EXHIBIT (aph63a04).

Discussion:

CHAIRMAN VICK wondered about line 21. He wanted to know if there was a list to choose from for the representatives statewide.

REP. TROPILA responded school boards, MEA-MFT and Montana School Board Association of School Administrators.

Vote: Motion to amend carried unanimously.

Substitute Motion: REP. VICK made a substitute motion to change language on line 21 to one representative from the statewide education association, appointed by the superintendent of public instruction and adding language appointed by the Governor.

Discussion:

REP. MONICA LINDEEN thought there would be an odd number of board members. REP. TROPILA explained the change.

Vote: Motion carried unanimously.

Substitute Motion: REP. WITT made a substitute motion to remove all money and strike Section two.

Discussion:

REP. BUZZAS thought the money was for travel. REP. MCCANN didn't think they needed the \$50,000. His concern was the unavailability of funding.

REP. TROPILA said the bill was a tax study bill, comprised not of legislators, but of economists and CPAs.

REP. WITT thought the testimonies of the bill would fold it into one.

Vote: Substitute Motion carried 11-7 with REP. BUZZAS, REP. CALLAHAN, REP. JAYNE, REP. KAUFMANN, REP. LINDEEN, REP. MCCANN and REP. TROPILA voting no.

Motion/Vote: REP. MCCANN moved HB 625 DO PASS AS AMENDED. Motion carried 16-2 with REP. DAVIES and CHAIRMAN VICK voting no.

{Tape 3; Side A}

EXECUTIVE ACTION ON HB 226

Motion: REP. KASTEN moved HB 226 BE AMENDED.

Discussion:

CHAIRMAN VICK asked about the interest and earnings on the impact fund. REP. MCCANN believed it was interest earnings compared to HB 69.

CHAIRMAN VICK asked what the reasons for adding the interest earnings into the general fund were. Taryn Purdy responded to the question, not on tape.

CHAIRMAN VICK said the interest earnings go back into the general fund unless specified by the account. REP. KASTEN said they could segregate the amendment.

CHAIRMAN VICK said it was changing the name from a trust to an impact fund. REP. LEWIS said the issue with the interest was if the interest goes back into the impact fund it would increase the fiscal note.

Substitute Motion/Vote: REP. VICK made a substitute motion striking the insert on line seven. Motion carried 16-2 with REP. JAYNE and REP. KAUFMANN voting no.

Motion: REP. KASTEN moved HB 226 BE AMENDED. Proposed amendments were handed out **EXHIBIT** (aph63a05).

Discussion:

Jeff Hindoien, Education Policy Advisor, Governor's Office, said they had been trying to work with oil and gas counties. He

stated the amendments were intended to negate the fiscal impact reflected in the fiscal note.

REP. LEWIS asked about the counties. **Jeff Hindoien** explained it was intended to be the mechanism by which 25% in the first part was split up.

REP. FISHER asked if the counties would get 25% of all the money in excess of \$26 million. **Jeff Hindoien** answered yes.

REP. KAUFMANN asked what the fiscal impact was with the amendment. **Jeff Hindoien** said the intent was to have the fiscal impact to zero.

REP. LINDEEN asked about Section two. **Jeff Hindoien** explained the section and the amounts involved.

{Tape 3; Side B}

CHAIRMAN VICK explained the amendment changes and how the process was to begin having an impact on the revenue to the state in this biennium.

REP. MCCANN asked what the past revenue had been. **Jeff Hindoien** said it was approximately was \$20 million.

REP. WITT asked if this would ever go away due to federal law. **Jeff Hindoien** answered it would.

REP. TROPILA asked if the language of trust would change to impact. **REP. KASTEN** answered yes.

Vote: Motion carried 15-3 with **REP. BUZZAS**, **REP. FISHER** and **REP. JAYNE** voting no.

Motion: **REP. KASTEN** moved HB 226 DO PASS AS AMENDED.

Discussion:

REP. FISHER wanted to know if some of the money would be used towards schools. **REP. LEWIS** said there had been discussion the state would split the royalties with the counties. He said this bill would offer the counties a percentage of future growth.

REP. FISHER didn't understand how the federal government would give them lease money and explain how to distribute. **Jeff Hindoien** said it was a form of federal revenue sharing and the government can tell them how to distribute the money.

CHAIRMAN VICK said most of the revenue came from the western counties because of the high property taxes.

REP. WITT said this may cost the state a lot of money .

Vote: Motion carried 16-2 with **REP. FISHER** and **REP. JAYNE** voting no.

EXECUTIVE ACTION ON HB 630

Motion: **REP. BUZZAS** moved HB 630 BE AMENDED.

Discussion:

REP. BUZZAS introduced an amendment to remove Section seven of the bill and change the title from grant to fund.

Taryn Purdy asked if the grant program would stay as is and if it would set up an account for certain funds. **REP. BUZZAS** wondered about the technical assistance pertaining to this.

Vote: Motion carried unanimously.

Motion: **REP. BUZZAS** moved HB 630 DO PASS AS AMENDED.

Discussion:

REP. KASTEN opposed the bill. **REP. BRUEGGEMAN** did not like the idea of expanding government without the funding.

Substitute Motion/Vote: **REP. BRUEGGEMAN** made a substitute motion HB 630 BE TABLED. Substitute motion carried 12-6 with **REP. BUZZAS**, **REP. CALLAHAN**, **REP. JAYNE**, **REP. KAUFMANN**, **REP. LINDEEN** and **REP. TROPILA** voting no.

EXECUTIVE ACTION ON HB 638

Motion: **REP. KAUFMANN** moved HB 638 DO PASS.

Discussion:

REP. KAUFMANN passed out additional information regarding the bill **EXHIBIT (aph63a06)**. She addressed possibly directing the EQC to establish an energy policy for the state of Montana based on the guidelines.

REP. TROPILA said the council was in place at the EQC to do what they needed to do.

REP. LINDEEN said the structure and authority was already in place at the EQC.

REP. FISHER wondered if anything meaningful would come out of the bill.

REP. LEWIS didn't understand the need for another process or committee. **REP. LINDEEN** said the benefit of having this done was due to the reputation of the work done by the Environmental Quality Council.

REP. KAUFMANN felt there needed to be a policy for the state of Montana.

{Tape 4; Side A}

REP. BUZZAS felt the bill to be a huge issue for the people of Montana.

REP. MCCANN asked how many people were going to participate on the committee. **REP. KAUFMANN** believed there were 12 to 15 members.

REP. MCCANN would support the bill if they would be more balanced in representing Montanans.

Vote: Motion failed 7-11 with **REP. BUZZAS**, **REP. CALLAHAN**, **REP. JAYNE**, **REP. KAUFMANN**, **REP. LINDEEN**, **REP. MCCANN** and **REP. TROPILA** voting aye.

Substitute Motion: **REP. BRUEGGEMAN** made a substitute motion HB 638 BE TABLED. Motion carried by reversing above vote.

EXECUTIVE ACTION ON HB 602

Motion: **REP. LEWIS** moved HB 602 DO PASS.

Discussion:

REP. LEWIS said the idea was to phase all the firefighters into the firefighters unified retirement system over a period of years.

Chuck Swysgood, Governor's Budget Director, did not know why the fiscal note was not signed.

Taryn Purdy explained the retirement plan for the firefighters.

CHAIRMAN VICK assumed part of the cost was because they were going from a thirty year retirement to a twenty year retirement.

Substitute Motion/Vote: **REP. LEWIS** made a substitute motion **HB 602 BE TABLED**. Substitute motion carried 12-6 with **REP. BUZZAS**, **REP. CALLAHAN**, **REP. JAYNE**, **REP. KAUFMANN**, **REP. LINDEEN** and **REP. TROPILA** voting no.

EXECUTIVE ACTION ON HB 641

Motion: **REP. LINDEEN** moved **HB 641 DO PASS**.

Discussion:

REP. LINDEEN gave a brief overview of the bill.

REP. CALLAHAN asked if the workers were part of the workman's compensation and be able to participate if they work with a company that doesn't pay into it. **CHAIRMAN VICK** said it was illegal to appropriate money to a private agency. **Sue Mohr, Worker's Compensation**, referred to Section 12 and offered explanation to the question.

CHAIRMAN VICK asked about appropriations to a private non-profit. **Sue Mohr** said it was addressed in the bill consistent with the workforce act and others.

REP. BUZZAS asked about the unemployment insurance trust fund. **REP. LINDEEN** didn't believe the trust solvency was in any danger.

CHAIRMAN VICK said money went into the fund when unemployment insurance tax was low and not many claims were filed. **Sue Mohr** said the benefits would never take off because of limitations.

{Tape 4; Side B}

REP. MCCANN asked where it indicated there was more prevention. **Sue Mohr** said the program was designed to provide intervention as soon as the layoff occurred.

CHAIRMAN VICK asked what type of training could be received in less than 26 weeks. **Sue Mohr** said the average was six months.

REP. MCCANN asked why non-profits, ranchers and farmers were in the same category. **Sue Mohr** said grants had been written for dislocated farmers.

REP. MCCANN thought the category would not be eligible to participate in the program. **Sue Mohr** said the group was identified as needing services.

REP. KAUFMANN said the bill would be applied statewide.

Vote: Motion carried 10-8 with **REP. LEWIS, REP. CLARK, REP. DAVIES, REP. FISHER, REP. KASTEN REP. PATTISON, REP. PETERSON and CHAIRMAN VICK** voting no.

EXECUTIVE ACTION ON HB 416

Motion: **REP. JAYNE** moved HB 416 DO PASS.

Discussion:

REP. JOEY JAYNE explained the bill and how it would authorize trustees of a school district to enter into an inter-local cooperative agreement with a community college or tribal college to provide instructional classes for at-risk students.

REP. BUZZAS felt serious attention should be focused on this bill.

REP. CLARK asked how much federal money per student did the reservation children received. **REP. WITT** said he had an idea, but did not want to offer information that could not be accurate.

REP. KAUFMANN said the bill was written for any student, not just reservation schools.

Substitute Motion: **REP. LINDEEN** made a substitute motion adding a conceptual amendment changing the age to 21 instead of 22.

Discussion:

REP. MCCANN responded the amendment would change the age from 19 to 21 years of age. **REP. FISHER** thought if a child was 21 years of age he/she should be old enough to take care of themselves.

REP. WITT said all the bill was implying was to increase A and B funding.

Vote: Motion carried 13-5 with REP. DAVIES, REP. FISHER, REP. PATTISON, REP. WITT and CHAIRMAN VICK voting no.

Motion/Vote: REP. JAYNE moved HB 416 DO PASS AS AMENDED. Motion failed 6-12 with REP. BUZZAS, REP. CALLAHAN, REP. JAYNE, REP. KAUFMANN, REP. LINDEEN and REP. TROPILA voting aye.

Discussion:

REP. MCCANN mentioned the funding for schools across the state and what process of payment was involved.

{Tape 5; Side A}

Substitute Motion/Vote: REP. BRUEGGEMAN made a substitute motion HB 416 BE TABLED. Substitute motion carried 12-6 by reversing above vote.

EXECUTIVE ACTION ON HB 318

Motion: REP. LINDEEN moved HB 318 BE AMENDED.

Discussion:

REP. LINDEEN explained the amendments and the effects on the employment security account.

Taryn Purdy gave addition information the amendments offered.

CHAIRMAN VICK asked the purpose of the employment security account. Taryn Purdy explained the account and the use of labor related purposes.

REP. HAINES felt original general funding was involved and had been taken out.

Vote: Motion carried 17-1 with REP. FISHER voting no.

Motion: REP. DAVIES moved HB 318 DO PASS AS AMENDED.

Discussion:

REP. MCCANN asked where the pot of money was. Taryn Purdy responded the employment security account received a certain part of payroll. She explained the special state revenue and the distribution of money.

REP. BUZZAS said the bill would act as a match to amounts of money for local communities having a catastrophe.

REP. HAINES explained an incident with an officer and how the bill came from the community of Missoula.

Vote: Motion carried unanimously.

EXECUTIVE ACTION ON HB 62

Motion: REP. CALLAHAN moved HB 62 be taken off of the table.

Discussion:

REP. TIM CALLAHAN explained the bill and how the appropriation had been removed from the bill.

CHAIRMAN VICK said there were concern about employee salaries compared to elected officials and how the state assumed half of the salary.

REP. LINDEEN supported the motion and reminded the committee of the on-going attempts of the bill.

REP. MCCANN asked what the difference was between the funding level currently and what it should be funded at. **REP. CALLAHAN** said the range for a chief probation officers was \$24-\$29,000 and he gave other salaries for a deputy probation officer.

Vote: Motion carried 15-3 with REP. LEWIS, REP. DAVIES and CHAIRMAN VICK voting no.

Motion: REP. CALLAHAN moved HB 62 DO PASS.

Discussion:

REP. DAVIES told the committee probation officers were part of the law enforcement system. He felt the system needed to be cleaned up.

CHAIRMAN VICK stated the judges salaries were going up about 10% a year. He didn't think this bill would be the way to approach the salaries. He explained putting the judges on a state pay schedule since they are not state employees.

REP. TROPILA added they do pay half of the county attorneys.

REP. KASTEN asked who took care of the benefit package. **REP. CALLAHAN** said the counties did.

{Tape 5; Side B}

REP. TROPILA said that counties use to pay the district court budgets and now with the state over their budgets, money should be left over for the counties.

REP. WITT mentioned the study and how some opted to go with the state. **REP. TROPILA** said some of the assessors opted to go with the state, some opted to stay with the county and the county save money.

Vote: Motion failed 9-9 with **REP. LEWIS, REP. BRUEGGEMAN, REP. DAVIES, REP. FISHER, REP. KASTEN, REP. PATTISON, REP. PETERSON, REP. WITT** and **CHAIRMAN VICK** voting no.

ADJOURNMENT

Adjournment: 12:00 P.M.

REP. STEVE VICK, Chairman

CECILE M. TROPILA, Transcriptionist

SV/PB

EXHIBIT (aph63aad)